

FORMPTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 10-2003)		ATTORNEY'S DOCKET NUMBER 202.13 US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/526321</b>
INTERNATIONAL APPLICATION NO. PCT/US2003/027186	INTERNATIONAL FILING DATE 28 August 2003	PRIORITY DATE CLAIMED 28 August 2002
TITLE OF INVENTION THERAPEUTIC TREATMENT METHODS		
APPLICANT(S) FOR DO/EO/US Christopher READING, Clarence N. AHLEM, Dominick AUCI, Charles DOWDING, James FRINCKE, Mei LI, Theodore M. PAGE, Richard J. TRAUGER, Dwight R. STICKNEY and Steven K. WHITE		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving- Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 or 1.98. -
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information: Copy of form PCT/IPEA/408, PCT/ISA/210, PCT/ISA/220

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) <b>10/526321</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2003/027186</b>		ATTORNEY'S DOCKET NUMBER <b>202.13 US</b>		
21. [ ] The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a)):</b>  Neither international preliminary examination (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to the USPTO and international Search Report not prepared by the EPO or JPO. .... <b>\$1,000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. .... <b>\$950.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO But international search fee (37 CFR 1.445(a)(2)) paid to USPTO. .... <b>\$790.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO But all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$750.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO And all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER BASIC FEE AMOUNT =</b>				CALCULATIONS PTO USE ONLY		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$		
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims		43 - 20 =		22 x \$18.00	\$ 378.00	
Independent claims		4 - 3 =		1 x \$86.00	\$ 86.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$290.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$ 464.00	
<b>SUBTOTAL =</b>					\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					+	
<b>TOTAL NATIONAL FEE =</b>					\$ 232.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.3 1). \$40.00 per property +					\$	
<b>TOTAL FEES ENCLOSED =</b>					\$ 232.00	
					Amount to be refunded:	\$
					Amount to be charged:	\$ 232.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.						
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>501536</u> in the amount of \$ <u>232.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.						
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>501536</u> . A duplicate copy of this sheet is enclosed.						
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.						
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to a pending status.</b>						
SEND ALL CORRESPONDENCE TO:			SIGNATURE			
Customer No. 26,551			<u>DARYL D MLENCHAU</u>			
Hollis-Eden Pharmaceuticals, Inc.			NAME			
4435 Eastgate Mall, Suite 400			<u>36,616</u>			
San Diego, CA 92121			REGISTRATION NUMBER			

10526321

Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

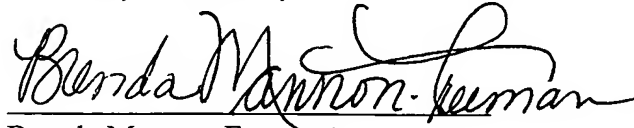
**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Attorney Docket No. : 202.13 US  
U.S. Serial No. : Not Assigned  
PCT Application No. : PCT/US2003/027186  
Applicant(s) : Christopher Reading, et al.  
For : Therapeutic Treatment Methods  
Attorney : Daryl D. Muenchau, Registration No. 36,616  
"Express Mail"  
Mailing Label No. : EV 175424434 US  
Date of Deposit : 28 February 2005

I hereby certify that the accompanying:

Form PTO-2390 Transmittal Letter to the United States Designated/Elected Office  
(DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (in duplicate), Preliminary  
Amendment; and Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Brenda Mannon-Freeman